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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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UNITED STATES OF AMERICA

*versus*

VINCENT HERRERA

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CASE NO. 9:10-CR-2

**ORDER ADOPTING UNITED STATES MAGISTRATE JUDGE'S REPORT**

After conducting a proceeding in the form and manner prescribed by Fed. R. Crim. P. 11, United States Magistrate Judge Earl S. Hines made and filed Findings of Fact and Recommendations regarding defendant's plea of guilty to Count I of the Information in the above-numbered case. The magistrate judge accepted defendant's guilty plea, recommends that defendant be adjudged guilty of the offense to which he pleaded guilty, and recommends that the court defer acceptance or rejection of defendant's plea agreement until after reviewing the presentence report.

The parties do not object to the magistrate judge's findings and conclusions, and the court is of the opinion that they should be and are hereby **ADOPTED**. Further, the court **RATIFIES** the magistrate judge's acceptance of the guilty plea. Accordingly, it is **ORDERED**:

1. Defendant is adjudged **GUILTY** of the offense alleged in Count I of the Information, a violation of 18 U.S.C. § 924(c).
2. The court accepts defendant's plea agreement will defer a decision to accept or reject defendant's plea agreement until the court reviews the presentence report.

SIGNED at Beaumont, Texas, this 14th day of June, 2010.



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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE